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11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 AQUALTECH CORPORATION, d/b/a
14 UNITED AQUA GROUP, a Delaware
Corporation,

15 Plaintiff,

16 vs.

17 DUTCH BARN LLC DBA DUTCH BARN
18 LANDSCAPING, an Illinois limited liability,
19 Company; COURTNEY SCHILD, an
individual; and THERESA SCHILD, an
20 individual,

21 Defendants.

Civil Action No. 23-01132-JAD-NJK

**ORDER GRANTING MOTION TO
SET ASIDE CLERK'S ENTRY OF
DEFAULT AND DISMISSING
CASE WITHOUT PREJUDICE**

ECF No. 17

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23 Plaintiff Aquatech Corporation d/b/a/ United Aqua Group moves for an order setting aside
24 the Clerk's Default entered in this case on September 28, 2023 (ECF No. 12) and dismissing the
25 present case without prejudice.

26 1. On September 28, 2023, the Clerk of Court entered default against Defendants Dutch
27 Barn LLC d/b/a Dutch Barn Landscaping, Courtney Schild, and Theresa Schild
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1 based on Defendants' failure to respond to the Verified Petition. [ECF No. 11].

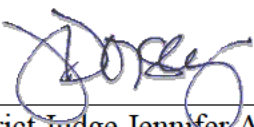
2 2. On November 30, 2023, by minute order, the Court denied Aquatech's Motion for
3 Default Judgment without prejudice to the filing of a renewed motion for default judgment with a
4 specific calculation of its damages via admissible evidence. [ECF No. 14].

5 3. On December 29, 2023, by minute order, the Court granted Aquatech a 60-day
6 extension of its time to file a renewed motion for default judgment against Defendants, to allow
7 time for the parties to engage in non-judicial settlement:
8

9 4. Since that time, the parties have engaged in settlement discussions, have come to a
10 resolution, and do not require further court action.

11 5. In light of the non-judicial settlement, Aquatech requests this Court set aside the
12 Entry of Default, and dismiss the present action, without prejudice, with each party to bear their
13 respective costs.
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15 With good cause appearing, IT IS ORDERED that Plaintiff Aquatech Corporation d/
16 b/a/ United Aqua Group's motion to set aside the Clerk's Entry of Default and Dismiss this Case
17 Without Prejudice [ECF No. 17] is granted; the entry of default [ECF No. 12] is set aside, and
18 this case is DISMISSED without prejudice, each side to bear its own fees and costs. The Clerk of
19 Court is directed to **CLOSE THIS CASE**.
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23 U.S. District Judge Jennifer A. Dorsey
24 Dated: March 20, 2024
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